



Department of Justice

FOR IMMEDIATE RELEASE
TUESDAY, APRIL 3, 2007
WWW.USDOJ.GOV

AT
(202) 514-2007
TDD (202) 514-1888

ANTITRUST DIVISION STATEMENT REGARDING THE RELEASE OF THE ANTITRUST MODERNIZATION COMMISSION REPORT

Division Commends Commission's Review of Antitrust Laws, Policies

WASHINGTON — Over the last three years, the Antitrust Modernization Commission (AMC) has undertaken a comprehensive review of U.S. antitrust laws, as well as the policies and practices of the Department of Justice's Antitrust Division and Federal Trade Commission in implementing those laws. The Division is impressed with the thoroughness of the AMC's review, the inclusiveness of divergent points of view among those invited to testify before the Commission, and the thoughtfulness and transparency of the Commission's deliberations. The Division is pleased to have participated in the AMC's review through testifying on a wide variety of topics and submitting information requested by the Commission. The Division believes that the Commission's review process has been exemplary and that its report contains valuable analyses of U.S. antitrust laws and enforcement procedures.

The AMC has made many specific recommendations in its report, and the Division is in the process of reviewing all of them. The Division commends the AMC for its three primary conclusions:

- Free-market competition should remain the touchstone of United States' economic policy. The Commission's conclusion in this regard is a fundamental starting point for policy makers. Over a century of experience has shown that robust competition among businesses, each striving to be increasingly successful, leads to better quality products and services, lower prices, and higher levels of innovation.
- The core antitrust laws—Sherman Act sections 1 and 2 and Clayton Act section 7—and their application by the courts and federal enforcement agencies are sound and appropriately safeguard the competitiveness of the U.S. economy.
- New or different rules are not needed for industries in which innovation, intellectual property, and technological innovation are central features. Unlike some other areas of the law, the core antitrust laws are general in nature and have been applied to many different industries to protect free-market competition successfully over a long period of time despite changes in the economy and the increasing pace of technological advancement. One of the great benefits of the Sherman and Clayton Acts is their adaptability to new economic conditions without sacrificing their ability to protect competition.

We look forward to reading the report in depth and considering all of the Commission's recommendations. The Antitrust Division appreciates the service and commitment of the AMC Commissioners.

###

07-212